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Technology Center 2600

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: Method of disseminating advertisements using an embedded media player page

US File #*20040015398*

Filed: 4/24/03

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20040015398

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a database maintained at the client level in a client-server ad delivery system. The appropriate ads are selected through profiling techniques at the server level then a database is created and downloaded via the internet (0062) to "create bookmarks at a media player." This file of bookmarks (similar to a database of trigger events) then calls up advertising based on a voluntary user action relating to the stored database.

The unrelated "dissemination" of advertisements is described in (0006), (0030), (0036) and (0052).

The abstract clearly states, "When the bookmark is used in the browser to play the media file, the embedded media player page instructs the media device (110) to request an advertisement from an advertisement server (104) for display in the embedded media player page.

Relevant Claims are 12,19,20 and others that discuss the dynamic updating of new ads to the client and replacement of old ads based upon a number of "bookmarks" akin to keyword, URL and other voluntary user actions.

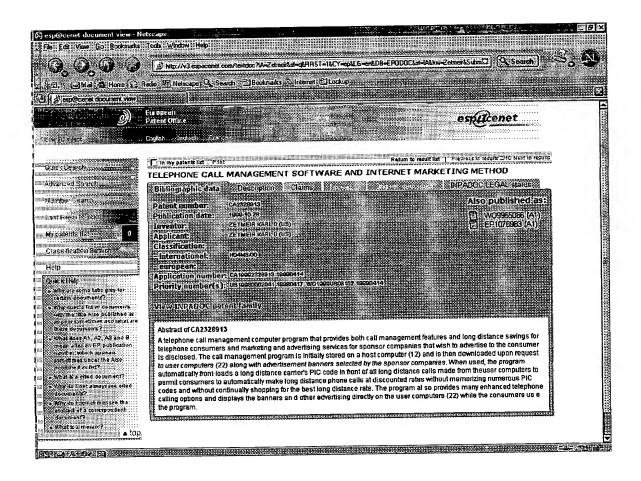
This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

I am objecting to this patent filing as it is neither novel nor unique. It is of particular note that no prior art was submitted with this filing and only some vague references to server profiling systems. The filers are correct that a targeted system based on URLs or keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

- 1. US Patent 6,141,010 ... similar technology
- 2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
- 3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 4/24/03 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.



nited States Patent: 6,141,010 · Netscape SEGNEY-SHEGNEY-STATE COME Windows Heb (1)
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(141)
6,141,010
uited States Patent October 31, 2000
imputer interface method and apparatus with targeted advertising
Abstract
nethod and apparatus for providing an automatically upgradeable software application that includes targeted advertising based upon demographics and user eraction with the computer. The software application is a graphical user interface that includes a display region used for banner advertising that is downloaded from the totime over a network such as the Internet. The software application is accessible from a server via the Internet and demographic information on the user is quired by the server and used for determining what banner advertising will be sent to the user. The software application further targets the advertisements in posses to normal user interaction, or use, of the computer. Associated with each banner advertisement is a set of data that is used by the software application in termining when a particular banner is to be displayed. This includes the specification of certain programs that the user may have so that, when the user runs the orgam (such as a spreadsheet program), an advertisement will be displayed that is relevant to that program (such as an advertisement for a stock brokerage). This poides two-tiered, real-time targeting of advertising—both demographically and reactively. The software application includes programming that accesses the server occasion to determine if one or more components of the application need upgrading to a newer version. If so, the components are downloaded and installed thout requiring any input or action by the user.
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